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**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING
REJECTION OVER A "PRIOR" PATENT**

Docket Number (Optional)

SEEK-009

In re Application of: **ROSLER, ELEN S.**

Application No.: **10/590,751**

Filed: **June 27, 2007**

For: **Biological Dataset Profiling of Asthma and Atopy**

The owner*, **BioSeek LLC**, of **100** percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term **prior patent** Nos. **6,656,695, 6,763,307 and 7,266,458** as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said **prior patents** is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the **prior patents** are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the **prior patent**, "as the term of said **prior patent** is presently shortened by any terminal disclaimer," in the event that said **prior patent** later:

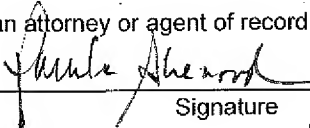
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2. ☒ The undersigned is an attorney or agent of record. Reg. No. **36,677**


Signature

January 14, 2011

Date

Pamela J. Sherwood

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(650) 833-7790

Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) is included.

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